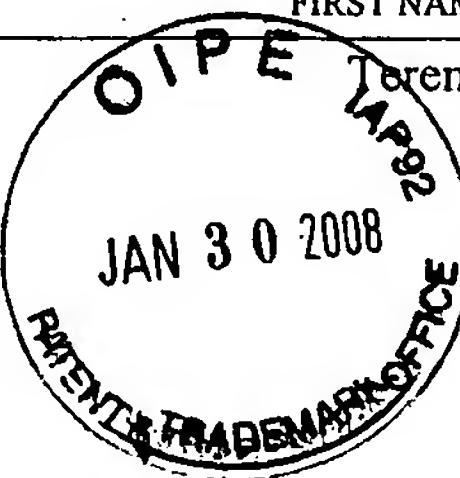




# UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/564,876 27910 STINSON MORRISON HECKER LLP ATTN: PATENT GROUP 1201 WALNUT STREET, SUITE 2800 KANSAS CITY, MO 64106-2150	Terence Harden	801948-0005
		INTERNATIONAL APPLICATION NO.
		PCT/AU04/00962
I.A. FILING DATE		PRIORITY DATE
07/16/2004		07/17/2003



CONFIRMATION NO. 3876  
371 FORMALITIES LETTER



OC000000027624631\*

Date Mailed: 01/10/2008

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 01/17/2006
- Copy of the International Search Report filed on 01/17/2006
- Preliminary Amendments filed on 01/17/2006
- Information Disclosure Statements filed on 02/27/2006
- Oath or Declaration filed on 10/10/2007
- Biochemical Sequence Listing filed on 01/17/2006
- Small Entity Statement filed on 01/17/2006
- U.S. Basic National Fees filed on 01/17/2006
- Assignment filed on 01/17/2006
- Priority Documents filed on 01/17/2006
- Specification filed on 01/17/2006
- Claims filed on 01/17/2006
- Abstracts filed on 01/17/2006
- Drawings filed on 01/17/2006
- Paper nucleotide sequence listings filed on 01/17/2006

Applicant's response filed 10/10/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 11/26/2007 have not been completed.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing

**Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

PATRICIA A BOOKER

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Telephone: (703) 308-9140 EXT 204

*Tfml*

Serial No. 10/564,876  
Attorney Docket No. 801948-0005



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Terence Harden et al.  
 Serial No. : 10/564,876  
 I.A. Filing Date : July 16, 2004  
 Title : BACTERIAL TREATMENT  
 Group/Art Unit : Not yet assigned  
 Examiner : Not yet assigned  
 Confirmation No. : 3876  
 Atty. Docket No. : 801948-0005

### **RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

Dear Sir:

Responsive to the Notification of Defective Response mailed on January 10, 2008 in connection with the above-identified application, a copy of the sequence listing for this application is being submitted on paper and also in computer readable form (CRF). A Statement verifying the two submissions are identical is being submitted along with the sequence listing. A copy of the Notification of Defective Response is enclosed as requested.

Respectfully submitted,

Nancy T. Morris, Reg. No. 42,017  
 STINSON MORRISON HECKER LLP  
 1201 Walnut Street, Suite 2900  
 Kansas City, MO 64106-2150  
 Telephone: (816) 842-8600  
 Facsimile: (816) 691-3495

#### Certificate of Mailing Under 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: 1-28-08

Signature: Rachel G. Hausen

Printed Name: RACHEL G. HAUSEN

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.